

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Larry Clayton McGarity,)
)
)
Plaintiff,)
) Civil Action No. 1:14-1306-RMG
vs.)
)
Carolyn W. Colvin, Commissioner)
of Social Security Administration,) **ORDER**
)
Defendant.)
)
)

This matter comes before the Court on Plaintiff's motion for an award of attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. (Dkt. No. 24). Plaintiff seeks an attorney fee award of \$2,499.98, representing 13.55 hours of attorney time at \$184.50 per hour. (Dkt. No. 24-1 sy 5-6). The Commissioner has advised the Court she does not oppose Plaintiff's motion. (Dkt. No. 25).

The Court has reviewed the motion and memorandum of Plaintiff, as well as the supporting underlying documentation, and finds that the total fee request, hours expended, and hourly rates are reasonable and authorized under applicable law. *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002). Therefore, the Court hereby grants an award to Plaintiff in the amount of \$2,499.98 for attorney's fees. This award is subject to the Treasury Offset Program, 31 U.S.C. § 3716(c)(1)(B). In the event Plaintiff has no present debt subject to offset and Plaintiff has executed a proper assignment to her counsel, Defendant is directed to make the payment due herein to Plaintiff's counsel. If Plaintiff has no present debt subject to offset and no proper

assignment has been made by Plaintiff to her counsel, Defendant is directed to make the check due pursuant to this Order payable to Plaintiff and to deliver the check to Plaintiff's counsel.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

May 14, 2015
Charleston, South Carolina